

By Falton

H.B. No. 1366

A BILL TO BE ENTITLED

AN ACT

relating to prohibiting employment discrimination against certain peace officers for refusing to take a polygraph examination.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 614, Government Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. POLYGRAPH EXAMINATIONS

Sec. 614.061. DEFINITION. In this subchapter, "peace officer" means a person who:

(1) is elected, appointed, or employed by a governmental entity; and

(2) is a peace officer under Article 2.12, Code of Criminal Procedure, or other law.

Sec. 614.062. APPLICABILITY OF SUBCHAPTER. This subchapter does not apply to a peace officer:

(1) to whom Section 411.007 applies; or

(2) who is required to take a polygraph examination under Section 143.124, 143.313, or 157.905, Local Government Code.

Sec. 614.063. POLYGRAPH EXAMINATION. A peace officer may not be suspended, discharged, or subjected to any other form of employment discrimination by the peace officer's employer because the officer refuses to take a polygraph examination.

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an

1       emergency    and    an    imperative    public    necessity    that    the  
2       constitutional    rule    requiring    bills    to be read on three several  
3       days in each house be suspended, and this rule is hereby suspended,  
4       and that this Act take effect and be in force from and after its  
5       passage, and it is so enacted.

75TH LEGISLATURE

COAUTHOR AUTHORIZATION  
(please request your coauthors to sign this form  
in lieu of the front or the back of the original bill)

For chief clerk use only  
Bill or Resolution Number: HB 1366

Robert E. Taltan  
signature of primary author

Robert E. TALTAN  
printed name of primary author

17 Feb 97  
Date

PERMISSION TO SIGN HB 1366 HAS BEEN GIVEN TO (check only one of the following):  
(bill or resolution #)  
☒ ALL REPRESENTATIVES  
☐ THE FOLLOWING REPRESENTATIVE(S): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I authorize the Chief Clerk to include my name as a coauthor of the legislation indicated above:

<u>A2120 Alexander</u>	<u>                    </u> Date	<u>A2645 Cuellar</u>	<u>                    </u> Date	<u>A2935 Giddings</u>	<u>                    </u> Date
<u>A2115 Allen</u>	<u>                    </u> Date	<u>A2635 Culberson</u>	<u>                    </u> Date	<u>A2880 Glaze</u>	<u>                    </u> Date
<u>A2105 Alvarado</u>	<u>                    </u> Date	<u>A2670 Danburg</u>	<u>                    </u> Date	<u>A2985 Goodman</u>	<u>                    </u> Date
<u>A2135 Averitt</u>	<u>                    </u> Date	<u>A2675 Davila</u>	<u>                    </u> Date	<u>A2990 Goolsby</u>	<u>                    </u> Date
<u>A2160 Bailey</u>	<u>                    </u> Date	<u>A2625 Davis</u>	<u>                    </u> Date	<u>A3005 Gray</u>	<u>                    </u> Date
<u>A2200 Berlanga</u>	<u>                    </u> Date	<u>A2680 Delisi</u>	<u>                    </u> Date	<u>A3010 Greenberg</u>	<u>                    </u> Date
<u>A2250 Bonnen</u>	<u>                    </u> Date	<u>A3385 Denny</u>	<u>                    </u> Date	<u>A3020 Grusendorf</u>	<u>                    </u> Date
<u>A2275 Bosse</u>	<u>                    </u> Date	<u>A2705 Driver</u>	<u>                    </u> Date	<u>A3030 Gutierrez</u>	<u>                    </u> Date
<u>A2260 Brimer</u>	<u>                    </u> Date	<u>A2665 Dukes</u>	<u>                    </u> Date	<u>A3035 Haggerty</u>	<u>                    </u> Date
<u>A2255 Burnam</u>	<u>                    </u> Date	<u>A2660 Dunnam</u>	<u>                    </u> Date	<u>A2695 Hamric</u>	<u>                    </u> Date
<u>A2400 Carter</u>	<u>                    </u> Date	<u>A2650 Dutton</u>	<u>                    </u> Date	<u>A3170 Hartnett</u>	<u>                    </u> Date
<u>A2585 Chavez</u>	<u>                    </u> Date	<u>A2770 Edwards</u>	<u>                    </u> Date	<u>A3345 Hawley</u>	<u>                    </u> Date
<u>A2480 Chisum</u>	<u>                    </u> Date	<u>A2760 Ehrhardt</u>	<u>                    </u> Date	<u>A3180 Heflin</u>	<u>                    </u> Date
<u>A2525 Christian</u>	<u>                    </u> Date	<u>A2775 Eiland</u>	<u>                    </u> Date	<u>A3230 Hernandez</u>	<u>                    </u> Date
<u>A2520 Clark</u>	<u>                    </u> Date	<u>A2785 Elkins</u>	<u>                    </u> Date	<u>A3240 Hightower</u>	<u>                    </u> Date
<u>A2435 Coleman</u>	<u>                    </u> Date	<u>A2810 Farrar</u>	<u>                    </u> Date	<u>A3310 Hilbert</u>	<u>                    </u> Date
<u>A2565 Cook</u>	<u>                    </u> Date	<u>A2830 Finnell</u>	<u>                    </u> Date	<u>A3250 Hilderbran</u>	<u>                    </u> Date
<u>A2595 Corte</u>	<u>                    </u> Date	<u>A2840 Flores</u>	<u>                    </u> Date	<u>A3275 Hill</u>	<u>                    </u> Date
<u>A2600 Counts</u>	<u>                    </u> Date	<u>A2920 Gallego</u>	<u>                    </u> Date	<u>A3270 Hinojosa</u>	<u>                    </u> Date
<u>A2605 Crabb</u>	<u>                    </u> Date	<u>A2910 Galloway</u>	<u>                    </u> Date	<u>A3285 Hirschi</u>	<u>                    </u> Date
<u>A2610 Craddick</u>	<u>                    </u> Date	<u>A2930 Garcia</u>	<u>                    </u> Date	<u>A3305 Hochberg</u>	<u>                    </u> Date

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Bill or Resolution Number: HB 1366

A3290 Hodge	Date	A3845 McReynolds	Date	A4435 Shields	Date
A3295 Holzheuser	Date	A3840 Merritt	Date	A4445 Siebert	Date
A3300 Horn	Date	A3850 Moffat	Date	A4525 Smith	Date
A3315 Howard	Date	A3860 Moreno	Date	A4530 Smithee	Date
A3355 Hunter	Date	A3865 Mowery	Date	A4550 Solis	Date
A3360 Hupp	Date	A3885 Naishtat	Date	A4505 Solomons	Date
A3375 Isett	Date	A3895 Nixon	Date	A4515 Staples	Date
A3380 Jackson	Date	A3875 Oakley	Date	A4510 Stiles	Date
A3415 Janek	Date	A3880 Oliveira	Date	A4570 Swinford	Date
A3405 Jones, Delwin	Date	A3886 Olivo	Date	A4585 Talton	Date
A3400 Jones, Jesse	Date	A4010 Palmer	Date	A4605 Telford	Date
A3440 Junell	Date	A4070 Patterson	Date	A4630 Thompson	Date
A3460 Kamel	Date	A4180 Pickett	Date	A4635 Tillery	Date
A3475 Keel	Date	A4185 Pitts	Date	A4640 Torres	Date
A3480 Keffer	Date	A4110 Place	Date	A2730 Turner, Bob	Date
A3465 King	Date	A4190 Price	Date	A4685 Turner, Sylvester	Date
A3485 Krusee	Date	A4200 Puente	Date	A4690 Uher	Date
A3490 Kubiak	Date	A4230 Rabuck	Date	A4720 Van de Putte	Date
A3450 Kuempel	Date	A4210 Ramsay	Date	A4990 Walker	Date
A3510 Laney	Date	A4240 Rangel	Date	A4995 West	Date
A3605 Lewis, Glenn	Date	A4235 Raymond	Date	A5035 Williams	Date
A3600 Lewis, Ron	Date	A4245 Reyna, Arthur	Date	A5010 Williamson	Date
A3615 Longoria	Date	A4236 Reyna, Elvira	Date	A5000 Wilson	Date
A3620 Lura, Vilma	Date	A4260 Rhodes	Date	A5020 Wise	Date
A3715 Madden	Date	A4315 Rodriguez	Date	A5015 Wohlgemuth	Date
A3750 Marchant	Date	A4320 Roman	Date	A4980 Wolens	Date
A2700 Maxey	Date	A4370 Sadler	Date	A5005 Woolley	Date
A3665 McCall	Date	A4420 Seaman	Date	A5025 Yarbrough	Date
A3650 McClendon	Date	A4460 Serna	Date	A5040 Zbranek	Date

JOINT AUTHOR AUTHORIZATION

As primary author of HB 1366 I hereby authorize the following joint author(s):  
(bill or resolution #)

Allen Hightower  
printed name of joint author #1

Allen Hightower  
signature of joint author #1

Roberto Gutierrez  
printed name of joint author #2

Roberto Gutierrez  
signature of joint author #2

\_\_\_\_\_  
printed name of joint author #3

\_\_\_\_\_  
signature of joint author #3

\_\_\_\_\_  
printed name of joint author #4

\_\_\_\_\_  
signature of joint author #4

Robert E. Falton  
signature of primary author

2/25/97  
date

ORIGINAL FORM--Place in book

SEND COPIES TO:  
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Legislative Reference Library  
House Journal

H.B. No. 1366

By Fulton

**A BILL TO BE ENTITLED  
AN ACT**

**Relating to prohibiting employment discrimination against certain peace officers for refusing to take a polygraph examination.**

FEB 17 1997

**Filed with the Chief Clerk**

FEB 18 1997

Read first time and referred to Committee on Public Safety

Reported \_\_\_\_favorably (as amended)  
(as substituted)

**Sent to Committee on (Calendars)**  
**(Local & Consent Calendars)**

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend) by a vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting \_\_\_\_\_

Read third time (amended); finally passed (failed to pass) by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

**Engrossed**

**Sent to Senate**

**CHIEF CLERK OF THE HOUSE**

**OTHER HOUSE ACTION:**

Received from the House

Read and referred to Committee on \_\_\_\_\_

Reported favorably \_\_\_\_\_

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time

Ordered not printed

### Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by (unanimous consent)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

Read second time, \_\_\_\_\_, and passed to third reading by (unanimous consent)  
(a viva voce vote)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

Senate and Constitutional 3 Day Rules suspended by a vote of                      yeas,                      nays

Read third time, \_\_\_\_\_, and passed by (a viva voce vote)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays)

### Returned to the House

SECRETARY OF THE SENATE

**OTHER SENATE ACTION:**

\_\_\_\_\_ Returned from the Senate (as substituted)  
(with amendments)

\_\_\_\_\_ House concurred in Senate amendments by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ House refused to concur in Senate amendments and requested the appointment of a conference committee  
by a (non-record vote) (record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ House conferees appointed: \_\_\_\_\_, Chair; \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Senate granted House request. Senate conferees appointed: \_\_\_\_\_, Chair;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Conference committee report adopted (rejected) by the House by a (non-record vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting)

\_\_\_\_\_ Conference committee report adopted (rejected) by the Senate by a (viva voce vote)  
(record vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays)